

PATENT
Attorney Docket No.
514-039-11

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Yong Lung WEI

Serial No.: 09/834,059

Filed: April 12, 2001

For: TOOL BOX



Group Art Unit: 3720

Examiner: J. G. Foster

Assistant Commissioner for Patents
Washington, D.C. 20231

AFFIDAVIT OF KAILASH C. VASUDEVA

I, KAILASH C. VASUDEVA, aver and say as follows:

1. I am Vice President of Maxtech, Inc., hereinafter referred to as "Maxtech."
2. Maxtech is the assignee of my U.S. Patent 5,803,254.
3. Maxtech is also the assignee of Wei U.S. Patent 5,893,457.
4. Mr. Wei is and has been a supplier and contract manufacturer for Maxtech. In the course of this long-standing relationship, Mr. Wei on occasion has undertaken development of products exclusively for Maxtech.
5. Maxtech and Mr. Wei have agreed that when Mr. Wei develops a product exclusively for Maxtech, the proprietary rights in the product shall belong to Maxtech and Mr.

Wei shall be obligated to make assignments, as required, to transfer the proprietary rights in the product to Maxtech.

6. The tool box which is the subject of Wei U.S. Patent 5,893,457 is a development Mr. Wei undertook exclusively for Maxtech and, pursuant to the agreement that proprietary rights in such developments shall belong to Maxtech, Mr. Wei assigned the application for the Wei U.S. Patent 5,893,457 to Maxtech.

I, KAILASH C. VASUDEVA, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, (18 U.S.C. 1001) and may jeopardize the validity of this application or any patent issuing therefrom, states that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

KAILASH C. VASUDEVA

Date: April 25/02

Kc Vasudeva